

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

INSIGHT GLOBAL, LLC,
Plaintiff,

-v-

DANIEL WENZEL, LUKE NORMAN,
LAUREN SUTMAR, and BEACON
HILL STAFFING GROUP, LLC

Defendants.

Civil Action No.: 1:17-cv-8323 (PGG)

**SUPPLEMENTAL DECLARATION OF EDWARD E. FILUSCH AND APPENDIX TO
PLAINTIFF INSIGHT GLOBAL'S "RESPONSE TO DEFENDANTS' LOCAL
RULE 56.1 STATEMENT OF MATERIAL UNDISPUTED FACTS AND
STATEMENT OF ADDITIONAL MATERIAL FACTS"**

I, Edward E. Filusch, declare, upon personal knowledge and under penalty of perjury, that the following is true and correct:

1. I am a member of the Bar of this Court and a member of Kasowitz Benson Torres LLP, counsel for Plaintiff Insight Global, LLC ("Insight Global") in this matter. I previously submitted a declaration, dated January 4, 2019, in support of Insight Global's Motion for Partial Summary Judgment as to Its Breach of Contract Claims Against the Individual Defendants. I make this Supplemental Declaration on personal knowledge and in Opposition to Defendants' Motion for Summary Judgment.

2. Pursuant to and in accordance with Rule V.C of the Individual Rules of Practice of this Court, set forth below is an index of the record authority cited by Insight Global in its "Response to Defendants' Local Rule 56.1 Statement of Material Undisputed Facts and Statement of Additional Material Facts," which documents are annexed hereto:

EXHIBIT #	DESCRIPTION
Skylar Cuppy¹	
1.	A true and correct copy of excerpts from the transcript of the deposition of Skylar Cuppy taken on May 30, 2018 (“Cuppy Dep.”).
Michael Fromhold	
2.	A true and correct copy of excerpts from the transcript of the deposition of Michael Fromhold taken on May 24, 2018 (“Fromhold Dep. Vol. I”).
3.	A true and correct copy of excerpts from the transcript of the deposition of Michael Fromhold taken on August 1, 2018 (“Fromhold Dep. Vol. II”).
Lindsay Kaplan	
4.	A true and correct copy of excerpts from the transcript of the deposition of Lindsay Kaplan taken on May 22, 2018 (“Kaplan Dep.”).
Jeffrey McLaren	
5.	A true and correct copy of excerpts from the transcript of the deposition of Jeffrey McLaren taken on May 21, 2018 (“McLaren Dep. Vol. I”).
Luke Norman	
6.	A true and correct copy of excerpts from the transcript of the deposition of Luke Norman taken on April 24, 2018 (“Norman Dep.”).
Samantha Ocampo	
7.	A true and correct copy of excerpts from the transcript of the deposition of Samantha Ocampo taken on May 16, 2018 (“Ocampo Dep.”).
Ian Ratner	
8.	A true and correct copy of excerpts from the transcript of the deposition of Ian Ratner taken on August 8, 2018 (“Ratner Dep.”).
Daniel Wenzel	
9.	A true and correct copy of excerpts from the transcript of the deposition of Daniel Wenzel taken on April 26, 2018 (“Wenzel Dep.”).
10.	A true and correct copy of text message correspondence marked as Exhibit 60 at Wenzel’s deposition.
Damages Spreadsheet	
11.	A true and correct copy of one worksheet tab of an Excel spreadsheet produced in native format as production number IG_00001431.
Company Policies	
12.	A true and correct copy of Insight Global’s Physical Security Policy that bears production numbers IG00000431-440.
13.	A true and correct copy of Insight Global’s Electronic Mail Use Policy that bears production numbers IG00000441-446.

¹ Some of the pages of these deposition excerpts also were included within the excerpts annexed to my previous declaration dated January 4, 2019, but are included again for the Court’s ease of reference. Again, where it exists, also included is each deponent’s errata sheet.

Prior Litigation with Beacon Hill	
14.	A true and correct copy of the complaint filed by Insight Global on May 12, 2008, in Massachusetts Superior Court, Suffolk County, in the following action: <i>Insight Global v. Beacon Hill Staffing Group, LLC and Andrew Dickhaut</i> , No. 0884-cv-02141.
15.	A true and correct copy of the complaint filed by Insight Global on August 12, 2009, in Massachusetts Superior Court, Suffolk County, in the following action: <i>Insight Global v. Beacon Hill Staffing Group, LLC and Lindsay Reardon</i> , No. 0984-cv-03412.
16.	A true and correct copy of the complaint filed by Insight Global on August 8, 2017, in the United States District Court for the Southern District of Texas, in the following action: <i>Insight Global LLC v. James Cody Lilley and Beacon Hill Staffing Group, LLC</i> , No. 4:17-cv-02440.
17.	A true and correct copy of the complaint filed by Insight Global on August 8, 2017, in the United States District Court for the District of Colorado, in the following action: <i>Insight Global, LLC v. Mary McDonald and Beacon Hill Staffing Group, LLC</i> , No. 1:17-CV-1915.
18.	A true and correct copy of the petition filed by Insight Global on August 11, 2015, in the Circuit Court of St. Louis, State of Missouri, in the following action: <i>Insight Global, LLC v. Beacon Hill Staffing Group, LLC</i> , No. 15SL-CC02718.
19.	A true and correct copy of the complaint filed by Insight Global on June 10, 2015, in the Superior Court of DeKalb County, State of Georgia, in the following action: <i>Insight Global, LLC v. Kim Gallagher</i> , No. 15CV6293-1.
20.	A true and correct copy of the complaint filed by Insight Global on September 29, 2015, in the Superior Court of DeKalb County, State of Georgia, in the following action: <i>Insight Global, LLC v. William Theis</i> , No. 15CV10012-3.
21.	A true and correct copy of the settlement agreement, entered into as of April 11, 2016, by and between Insight Global, Kim Gallagher, William Theis, and Beacon Hill.

I declare under penalty of perjury that the above is true and correct, and that I executed this declaration this 1st day of February, 2019, in New York, New York.


EDWARD E. FILUSCH

CERTIFICATE OF SERVICE

I, Jonathan L. Shapiro, an attorney admitted to practice before this Court, hereby certify that on February 1, 2019, I caused a true copy of the foregoing document (“SUPPLEMENTAL DECLARATION OF EDWARD E. FILUSCH AND APPENDIX TO PLAINTIFF INSIGHT GLOBAL’S ‘RESPONSE TO DEFENDANTS’ LOCAL RULE 56.1 STATEMENT OF MATERIAL UNDISPUTED FACTS AND STATEMENT OF ADDITIONAL MATERIAL FACTS”), along with Exhibits 1 through 21 referenced therein, to be served via email to the below counsel of record for Defendants, who consented to accept service via email:

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Dated: February 1, 2019
New York, New York

By: /s/ Jonathan L. Shapiro
Jonathan L. Shapiro